



PUBLIC NOTICE

Federal Communications Commission
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DA 00-282

Released: February 14, 2000

**COMMON CARRIER BUREAU SEEKS COMMENT ON THE ARIZONA
CORPORATION COMMISSION'S PETITION FOR DELEGATION OF
ADDITIONAL AUTHORITY TO IMPLEMENT NUMBER
CONSERVATION MEASURES**

NSD File No. L-99-100

Pleading Cycle Established

COMMENTS: March 14, 2000

REPLY COMMENTS: March 28, 2000

On September 28, 1998, the Federal Communications Commission ("Commission") released an order in the matter of a Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, and 717, and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, *Memorandum Opinion and Order and Order on Reconsideration*, FCC 98-224, CC Docket No. 96-98, NSD File No. L-97-42 (rel. September 28, 1998) ("Pennsylvania Numbering Order"). The Pennsylvania Numbering Order delegated additional authority to state public utility commissions to order NXX code rationing in jeopardy situations and encouraged state commissions to seek further limited delegations of authority to implement other innovative number conservation methods.

On December 23, 1999, the Arizona Corporation Commission (Petitioner) filed a petition requesting additional delegated authority pertaining to number conservation measures in the State of Arizona. The Petitioner specifically requests authority to: (1) implement mandatory thousands-block number pooling; (2) ensure efficient number use practices such as fill rates or sequential number assignment; (3) establish interim mandatory number utilization data reporting and forecasting requirements; (4) establish auditing procedures and implement random audits (in addition to any auditing efforts of the FCC and NANPA); (5) require the return of unused NXX codes by carriers to the code administrator; and (6) require the return of unused or under-utilized portions of NXX codes to the Pooling Administrator when one is selected.

Petitioner states that with the utilization data requested, it will be able to reclaim codes such as the following: (1) codes which have been held beyond the six-month period provided by the Central Office Code (NXX) Assignment Guidelines ("Guidelines") and have not been activated;

(2) codes which have been acquired in violation of the Guidelines and any other applicable rules and regulations; (3) codes which are being used to provide service in violation of state law; (4) test codes and codes which have not been put in service within the time provided by the Guidelines and other protocols or policies established by the Petitioner; and (5) codes that were acquired by carriers certifying that they would be facilities-based, but who have failed to establish facilities within the appropriate time frame. Petitioner states that these measures are needed to ensure the efficient utilization of numbers in Arizona in the future and to prevent unnecessary and disruptive area code relief to the extent possible.

We hereby seek comment on the issues raised in Petitioner's request for delegation of additional authority to implement the above number conservation measures. A copy of the petition will be available during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Suite CY-A257, Washington, D.C. 20554, (202) 418-0270. Interested parties may file comments concerning this matter on or before **March 14, 2000**, and reply comments on or before **March 28, 2000**. All filings must reference **File No. NSD-L-99-100 and CC Docket 96-98**. Send original and four copies to the Commission Secretary, Magalie Roman Salas, Portals II, 445 12th Street, SW, Suite TW-A325, Washington, D.C. 20554 and two copies to Al McCloud, Network Services Division, Portals II, 445 12th Street, S.W., Room 6A-320, Washington, D.C. 20554.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. If using this method, please reference **CC Docket No. 96-98** in the Proceeding Block. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, postal service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, including "get form <your e-mail address>" in the body of the message. A sample form and directions will be sent in reply. After filing your comments electronically, please send an e-mail to Al McCloud, amcccloud@fcc.gov, indicating that comments have been filed.

This is a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules. See generally 47 C.F.R. §§ 1.1200-1.1216. As a "permit but disclose" proceeding, *ex parte* presentations will be governed by the procedures set forth in Section 1.1206 of the Commission's rules applicable to non-restricted proceedings. 47 C.F.R. § 1.1206.

Parties making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. See 47 C.F.R. § 1.1206(b)(2). Other rules pertaining to oral and written presentations are set forth in Section 1.1206(b) as well.

For further information contact Aaron Goldberger of the Common Carrier Bureau, Network Services Division, at (202) 418-1591 or agoldber@fcc.gov. The TTY number is (202) 418-0484.

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